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RCE/£  
JFW

Atty. Dkt. No. 054726-0115

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hubert F. Metzger  
Title: ELECTROPLATING  
APPARATUS USING A  
NON-DISSOLVABLE  
ANODE AND  
ULTRASONIC ENERGY  
Appl. No.: 09/992,205  
Appl. Filing Date: 11/06/2001  
Examiner: Donald R. Valentine  
Art Unit: 1742

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 505575464 US	11/17/04
(Express Mail Label Number)	(Date of Deposit)
Carolyn Simpson	
(Printed Name)	
	
(Signature)	

**PETITION TO WITHDRAW FROM ISSUE AND**  
**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop 313(c)  
Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Petition for Withdrawal from Issue under 37 C.F.R. § 1.313(c)(2) and includes a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) abandonment of the application; and (2) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

This RCE is being submitted after the payment of the issue fee, but is being submitted in conjunction with a petition under 37 C.F.R. § 1.313.

11/22/2004 AWONDAF1 00000009 09992205

01 FC:2801  
02 FC:1460

395.00 OP  
130.00 OP

-1-

1. Petition under 37 C.F.R. § 1.313 including fee under 37 CFR § 1.17(h)
2. Submission required under 37 C.F.R. § 1.114: (check items that apply)

a. Previously submitted:

- ☐ Please enter and consider the amendment/reply previously filed on \_\_\_\_.
- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.
- ☐ Other \_\_\_\_.

b. Enclosed are:

- ☐ Amendment/Reply.
- ☐ Affidavit(s)/Declaration(s).
- ☒ Information Disclosure Statement.
- ☒ Form PTO/SB/08 with 15 listed reference(s) (9 enclosed).
- ☐ Other .

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The fees due are calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	81	- 81	= 0	x \$18.00	= \$0.00
Independents	7	- 7	= 0	x \$88.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$300.00	= \$0.00
CLAIMS FEE TOTAL:					= \$790.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$430.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$980.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,530.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,080.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$0.00
EXTENSION FEE ALREADY PAID: -				\$0.00
EXTENSION FEE TOTAL				\$0.00
CLAIMS AND EXTENSION FEE TOTAL:				\$790.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$395.00
PETITION FEE UNDER 37 CFR 1.313(a) & 1.17(h)				\$130.00
PETITION FEE TOTAL				\$130.00
CLAIMS, EXTENSION, AND PETITION FEE TOTAL				\$525.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$525.00

☒ A check in the amount of \$525.00 to cover the fees due is enclosed.

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Nov. 17, 2004

By 

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5839  
Facsimile: (414) 297-4900


Marcus A. Burch  
Attorney for Applicant  
Registration No. 52,673



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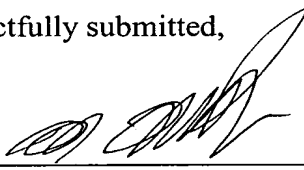
Sir:

Applicant hereby petitions for withdrawal of the above listed patent from issue after the payment of the issue fee under 37 C.F.R. 1.313(c)(2) for the purpose of considering a request for continued examination.

The request for continued examination includes an information disclosure statement which cites, among other documents, a search report for a corresponding European patent application.

Respectfully submitted,

Date Nov. 17, 2004

By 

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Marcus A. Burch  
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